Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) A positive active material for a rechargeable lithium battery comprising:

lithium nickel manganese oxides; and

lithium manganese oxides,

wherein a weight ratio of lithium manganese oxides to the lithium nickel manganese oxides is less than 1:1, providing an excess of lithium nickel manganese oxides.

2. (Previously Presented) The positive active material of claim 1 wherein the lithium nickel manganese oxides is $Li_xNi_{1-y}Mn_yO_{2+z}$ ($0 < x < 1.3$, and $0.1 \leq y \leq 0.5$, $0 \leq z \leq 0.5$).

3. (Original) The positive active material of claim 1 wherein the lithium manganese oxides is $Li_{1+x'}Mn_{2-x'}O_{4+z}$ ($0 \leq x \leq 0.3$, and $0 \leq z \leq 0.5$).

4. (Original) The positive active material of claim 1, wherein the mixing ratio of the lithium nickel manganese oxides and lithium manganese oxides is 90 to 60 : 10 to 40 wt%.

5. - 9. (Canceled).

10. (Currently Amended) A positive active material for a rechargeable lithium battery comprising a chemically bonded mixture of lithium nickel cobalt oxides and lithium manganese oxides, wherein the positive active material is produced by mixing the lithium nickel cobalt oxides with the lithium manganese oxides, the weight ratio of lithium manganese oxides to lithium nickel cobalt oxides being less than 1:1;

adding a binder to the mixture; and

heat-treating the resulting mixture of lithium nickel cobalt oxides and lithium manganese oxides at a temperature ranging between about 200°C and about 500°C~~, wherein the binder is evaporated from the mixture during heat-treating~~.